



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/652,714

08/31/2000

Vishnu K. Agarwal

98-0615.09

3982

27076

7590

07/03/2002

DORSEY & WHITNEY LLP
SUITE 3400
1420 FIFTH AVENUE
SEATTLE, WA 98101

EXAMINER

DIAZ, JOSE R

ART UNIT

PAPER NUMBER

2815

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/652,714

Applicant(s)

AGARWAL, VISHNU K.

Examiner

José R. Díaz

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-39 and 76-99 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 76-80 and 86-99 is/are allowed.
- 6) ☒ Claim(s) 36,39,81,83 and 85 is/are rejected.
- 7) ☒ Claim(s) 37,38,82 and 84 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

➤ A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 21, 2002 (Paper No. 11) has been entered.

Claim Rejections - 35 USC § 102

➤ The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

➤ Claims 36, 39, 81 and 85 are rejected under 35 U.S.C. 102(b) as being anticipated by Sandhu et al. (US Patent No. 5,376,593).

Regarding claims 36, 39, 81 and 85, Sandhu et al. teach a method for forming a semiconductor device (see cols. 1-10) comprising the steps of: depositing a first conductive (30) (see Fig. 4), incorporating an oxygen-free material directly into a surface of the first conductive (40) (see Fig. 5), depositing a second conductive into the surface (50) (see Fig. 6), and exposing the second conductive to a thermal process (see col. 5, lines 50-51).

➤ Claims 81, 83 and 85 are rejected under 35 U.S.C. 102(e) as being anticipated by Agarwal et al. (US Patent No. 6,201,276 B1)

Regarding claims 81, 83 and 85, Agarwal et al. teach a method for forming a semiconductor device (see cols. 1-12) comprising the steps of: depositing a first conductive (14) (see Fig. 3C), incorporating an oxygen-free material directly into a surface of the first conductive (18b) (see Fig. 3C), depositing a second conductive into the surface (18a) (see Fig. 3C), and exposing the second conductive to a thermal process (19) (see Fig. 3C).

Allowable Subject Matter

➤ Claims 37-38, 82 and 84 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

➤ Claims 76-80 and 86-99 are allowed.

➤ The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to teach, disclose, or suggest, either alone or in combination, a method of forming a semiconductor device comprising the steps of: depositing a first

conductive, incorporating an oxygen-free material directly into a surface of the first conductive, depositing a second conductive into the surface, and exposing the second conductive to a thermal process; wherein the oxygen-free material comprises a selection consisting of diborane, phosphine, methylsilane, hexamethyldisilane, hexamethyldisilazane, HCl, boron trichloride, and combination thereof; wherein the thermal process comprises flowing an insulator deposited on the second conductive; wherein the steps of forming a first conductive and exposing the second conductive to a thermal process comprise depositing a plug and flowing the second conductive layer, respectively; and/or wherein the first conductive is tungsten nitride.

Response to Arguments

➤ Applicant's arguments with respect to claims 36, 39, 81, 83 and 85 have been considered but are moot in view of the new ground(s) of rejection.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José R. Díaz whose telephone number is (703) 308-6078. The examiner can normally be reached on 9:00 - 5:00 Monday, Tuesday, Thursday and Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (703) 308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 746-3891 for After Final communications.

Application/Control Number: 09/652,714
Art Unit: 2815

Page 5

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JRD
June 30, 2002



Handwritten signature of JRD, dated June 30, 2002.